

Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs." (Same statement in French, Spanish and German.)

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in substance in the libel for the reason that it was labeled on the carton, "A compound of Borated Golden Seal," whereas, in truth and in fact, it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold. That the product was composed of a dilute yellow aqueous solution containing borax and berberine and did not contain any ingredient or combination of ingredients capable of producing the curative and therapeutic effects for the treatment or prevention of catarrh, hay fever, inflammations, irritations or ulcerations of mucous membranes or linings of the nose, throat, stomach and urinary organs, for unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye and ear, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, spermatorrhœa, bubo, gonorrhœal cystitis, balanitis, inflammation or swelling of a lymphatic gland of the groin, leucorrhœa, whites, catarrh of the vagina, and certain other diseases, claimed on the labeling on said bottles and cartons and in the accompanying booklet. Misbranding of the article was alleged for the further reason that the statement borne on the label of the carton, to wit, "Compound of Borated Golden Seal," was false and misleading in that the product contained no goldenseal, said statements being made to mislead and deceive the purchaser thereof.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7176. Misbranding of Big G. U. S. \* \* \* v. 12½ Dozen Bottles of \* \* \* Big G. Default decree of condemnation, forfeiture, and destruction.** (T. & D. No. 10420. I. S. No. 15714-r. S. No. E-1439.)

On May 21, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12½ dozen bottles of Big G, consigned on November 23, 1918, and June 12, 1918, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, in English) "Big G A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs." (same statements in French, Spanish, and German); (bottle, in English) "Big G A non-poisonous Tonic \* \* \* a Treatment for Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear;" (booklet, English, page 2) "Catarrh \* \* \* Chronic, of the Head \* \* \* Hay Fever," (page 3) "Inflammation of the Eye \* \* \* Cystitis," (page 4) "Gastritis, Catarrh of the Stomach \* \* \* Haemorrhoids, Piles,

\* \* \* Gonorrhœa, Stricture \* \* \* Folliculitis \* \* \* Gonorrhœal Prostatitis," (page 8) "Spermatorrhœa \* \* \* Bubo \* \* \* Gonorrhœal Cystitis \* \* \* Balanitis," (page 9) "Bubo, Inflammation and Swelling of a Lymphatic Gland in the Groin \* \* \* Leucorrhœa \* \* \* Whites \* \* \* Catarrh of the Vagina," (page 10) "Gonorrhœa in Women." (Equivalent statements in Spanish, French, and German in the booklet.)

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it on the carton, bottle, and booklet, above quoted in part.

On June 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**7477. Misbranding of olive oil. U. S. \* \* \* v. 28 Cases of Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10426. I. S. No. 14896-r. S. No. E-1446.)

On May 23, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 cases of olive oil, consigned by W. P. Bernagozzi & Bro., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 18, 1919, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Product of Italy Pure Virgin Olive Oil," "Quarter of Gallon Pure Olive Oil," and "One Quart Olive Oil."

Misbranding of the article was alleged for the reason that the statements borne on the labels of the cans, to wit, "One Quart," and "Quarter of Gallon," were false and misleading and deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously declared.

On June 25, 1919, Swinger & Binenstock, Philadelphia, Pa., claimants, having consented to, a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**7478. Adulteration of butter. U. S. \* \* \* v. 329 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 11172. I. S. No. 8498-r. S. No. C-1449.)

On September 8, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 329 tubs of butter, consigned on August 25, 1919, by the North American Creamery Co., Paynesville, Minn., remaining unsold in the original unbroken packages at Springfield, Mass., alleging that the article had been shipped and transported from the State of Minnesota into the Commonwealth